

Regina J. McClendon (State Bar No. 184669)  
rmclendon@lockelord.com  
Stephanie A. Chambers (State Bar No. 261025)  
schambers@lockelord.com  
**LOCKE LORD LLP**  
44 Montgomery Street, Suite 2400  
San Francisco, CA 94104  
Telephone: 415-318-8810  
Fax: 415-676-5816

## Attorneys for Defendants

WELLS FARGO BANK, N.A. AS TRUSTEE FOR OPTION ONE MORTGAGE LOAN TRUST 2007-1, ASSET-BACKED CERTIFICATES, SERIES 2007-1 (erroneously sued as Wells Fargo Bank, N.A.) and HOMEWARD RESIDENTIAL, INC. (fka American Home Mortgage Servicing, Inc.)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SCOT TOWNSEND, an individual; and SHELLY  
TOWNSEND, an individual ) CASE NO. 3:12-cv-06150-JSW  
Plaintiffs, )  
v. )  
WELLS FARGO BANK, N.A., a business entity;  
AMERICAN HOME MORTGAGE SERVICING,  
INC., a business entity; and Does 1 through 100,  
inclusive )  
Defendants. )  
JOINT STIPULATION AND  
[PROPOSED] ORDER  
CONTINUING HEARING DATE  
FOR MOTION TO DISMISS AND  
INITIAL CASE MANAGEMENT  
CONFERENCE  
Complaint Filed: July 13, 2012

1 Plaintiffs Scot Townsend and Shelly Townsend (collectively, "Plaintiffs") and defendants  
2 Wells Fargo Bank, N.A., as Trustee for Option One Mortgage Loan Trust 2007-1, Asset-Backed  
3 Certificates, Series 2007-1 and Homeward Residential, Inc. (collectively, "Defendants")  
4 STIPULATE AND AGREE as follows:

5 WHEREAS, Plaintiffs filed a Complaint in this action on or about July 13, 2012;

6 WHEREAS, Defendants removed this action from the Alameda County Superior Court to the  
7 United States District Court for the Northern District of California on or about December 4, 2012;

8 WHEREAS, Defendants filed a Motion to Dismiss Plaintiffs' Complaint which is currently  
9 set for hearing on May 31, 2013;

10 WHEREAS, the Initial Case Management Conference in this matter is currently scheduled  
11 for May 31, 2013;

12 WHEREAS, the parties have reached a settlement in this matter and anticipate that the  
13 settlement documents will be finalized and executed in approximately 30 – 45 days;

14 **STIPULATION**

15 IT IS THEREFORE STIPULATED AND AGREED, by and between Plaintiffs and  
16 Defendants, and subject to the approval of the Court, that:

17 The May 31, 2013, hearing date is vacated and the hearings on Defendants' Motion to  
18 Dismiss and the Initial Case Management Conference are continued to July 26, 2013.

19 IT IS SO STIPULATED.

21 Dated: May 24, 2013

MELLEN LAW FIRM

23 By: /s/ Sarah Adelaars

24 Matthew D. Mellen

25 Sarah Adelaars

Attorneys for Plaintiffs

SCOT TOWNSEND and SHELLY TOWNSEND

1  
2 Dated: May 24, 2013

LOCKE LORD LLP

3 By: /s/ Stephanie A. Chambers  
4

Regina J. McClendon  
Stephanie A. Chambers  
Attorneys for Defendants  
WELLS FARGO BANK, N.A. AS TRUSTEE  
FOR OPTION ONE MORTGAGE LOAN  
TRUST 2007-1, ASSET-BACKED  
CERTIFICATES, SERIES 2007-1 and  
HOMeward RESIDENTIAL, INC.

9 **CERTIFICATION**

10 Pursuant to Local Rule 5-1(i)(3), the filing attorney attests that she has obtained concurrence  
11 regarding the filing of this document from the indicated signatories to the document.

12  
13 Dated: May 24, 2013

By: \_\_\_\_\_ /s/ Stephanie A. Chambers  
Stephanie A. Chambers

16 **[PROPOSED] ORDER**

17 Pursuant to stipulation, IT IS SO ORDERED.

18  
19 Dated: May 29, 2013

20  
21 Hon. Jeffrey S. White  
United States District Judge

